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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 005393

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SUBJECT: ENSURING A COORDINATED U.S.-EU MESSAGE IN BIH

REF: A. STATE 271449  
    **1B.** STATE 267711  
    **1C.** STATE 257497  
    **1D.** SARAJEVO 3294  
    **1E.** USEU BRUSSELS 5226  
    **1F.** THE HAGUE 3301

Classified By: Rick Holtzapple, PolOff, Reasons 1.4 (B/D)

SUMMARY

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**11.** (C) Our messages alerting the EU to Operation Balkan Vice measures (REFS B and C) apparently did not penetrate very far into the EU apparatus. Although the EU and Solana's office have been supportive of the measures taken by High Rep Ashdown, and understand the steps taken by the US in support of OHR, failure to convey that message to their missions in B-H has led to grumbling from assorted EU officials in Sarajevo (REF D). The necessary staff work for the EU to expand its own travel ban and asset freeze measures has not yet been done, however, and will probably have to await the Luxembourg Presidency to see what might be possible. END SUMMARY.

**12.** (C) PolOff discussed REF A points with the relevant EU officials available in Brussels this close to the Christmas holiday. The EU is indeed hydra-headed. To wit:

**13.** (C/NF) Stefan Muller, of the Council's Balkan Task Force, told us Solana feels Ashdown did not keep him fully informed about what OHR was doing. Solana was complaining about this as recently as Dec. 20. This is, so far, an internal issue. Solana made a very good public statement in support of the OHR measures on Dec. 16. (NOTE: There is no reason Solana should feel surprised by the measures we announced. We delivered REF B details to Solana's chief Balkans advisor Stefan Lehne the morning of Dec. 17, and know that he went directly from our meeting to a briefing of the assembled EU PolDirs on both the OHR and US measures. END NOTE.)

**14.** (C) At the Commission, Mia Asenius of Enlargement Commissioner Rehn's staff (which also has responsibility for the Balkans) said the Commission definitely supports Ashdown's measures. She said Commissioner Rehn met with B-H FM Ivanic during his visit immediately after the OHR measures were imposed only because Ivanic was still officially the FM at the time, and Rehn did not want to do anything that could provoke more of a political crisis. Asenius noted there had been some grumbling in Rehn's meeting with assembled EU heads of missions about not having been informed of US measures. She added that some within the EU, including at the Commission, are nervous that reaction to the combined OHR and US measures could lead to the fall of the state-level government and new elections. They worry this would further delay B-H's progress toward a Stabilization and Association Agreement, which for some within the EU is the highest priority.

**15.** (C) The Dutch chair (protect) of the EU's Western Balkans Working Group (COWEB) here in Brussels told us he was surprised at any flap about OHR's measures, as he had understood that, beyond Solana's own statement, an EU HOMs statement in Sarajevo supportive of Ashdown was supposed to have been teed up. He said he would check with The Hague to see what might have happened to such a statement. (We note REF F from The Hague also refers to a HOMs statement.)

**16.** (C) Regarding EU travel bans/asset freezes, our Dutch contact told us nothing had been prepared within COWEB to expand the EU's travel ban list. He said that in at least some past actions by OHR, such steps would have been underway in advance to make the EU's list conform with OHR's -- although not necessarily the US's. If Ashdown has now added specific individuals to his list of ICTY obstructionists, there may be scope (but probably not until under the Luxembourg Presidency in January) for the EU to expand it's own travel ban list to cover them. Asset freezes on these types of individuals, as we have seen time and again with the EU, are unlikely.

**17.** (C) In all of the above conversations, PolOff has underlined to EU contacts that we had given the EU a heads up we were planning measures to support those we understood OHR

was preparing; and it was vital that all of us should now stay on message in support of Ashdown's measures. Even if the EU does not take similar steps to the US on travel bans and asset freezes against further individuals, our steps have usefully gotten the attention of people who have been blocking progress in the RS. All of our contacts understood the message. Given holiday absences, however, we cannot guarantee that Brussels will have any immediate success in better informing or curbing freelance commentary from various EU reps in Sarajevo.

MCKINLEY